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In re Application of
BRUDER, Gernot et al.
Application No.: 10/510,540
PCT No.: PCT/EP03/03440
Int. Filing Date: 02 April 2003
Priority Date: 09 April 2002
Attorney Docket No.: WITT0103PUSA
For: HARDDTOP VEHICLE ROOF WITH
THREE RIGID ROOF PIECES

DECISION ON

PETITION

UNDER 37 CFR 1.182

This decision is in response to applicant's "Petition Under Rule 1.182 C.F.R., " filed on 21 October 2004.

BACKGROUND

On 02 April 2003, applicant filed international application PCT/EP03/03440 which claimed a priority date of 09 April 2002. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 16 October 2003. The deadline for entry into the national stage in the United States was thirty months from the priority date, 12 October 2004 (09 October 2004 was a Saturday and 11 October 2004 was a holiday).

On 07 October 2004, applicant submitted a transmittal letter to the national office accompanied by a translation, a declaration, a preliminary amendment and the basic national fee.

On 21 October 2004, applicant submitted the instant petition, requesting that the Office disregard the translation and the preliminary amendment submitted on 07 October 2004.

DISCUSSION

Applicant petitions the Office to disregard the translation submitted on 07 October 2004 as it is not a translation of the international application and the preliminary amendment.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.182 is GRANTED.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision, including the mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that a translation of the international application and the processing fee for late submission of the translation are required.

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